

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 07, 2017

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Antonio DeJesus Magana Case Number: 0980 2:12CR02044-RMP-1

Address of Offender: [REDACTED], Grandview, Washington 98930

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, U. S. District Judge

Date of Original Sentence: December 13, 2012

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence:	Prison - 24 months; TSR - 36 months	Type of Supervision:	Supervised Release
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Revocation
Sentence: Prison - 10 months; TSR - 26
February 19, 2016 months

Asst. U.S. Attorney: Ian Garriques Date Supervision Commenced: November 8, 2016

Defense Attorney: Jeremy Sporn

Date Supervision Expires: January 7, 2019

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Special Condition # 17:</u> You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.</p> <p><u>Supporting Evidence:</u> On May 25, 2017, Mr. Magana was discharged from substance abuse counseling at Merit Resource Services (Merit) due to noncompliance with his treatment plan. He failed to attend required treatment groups, self help meetings, and was positive for drug use.</p>
2	<p><u>Special Condition # 18:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p>

Re: Magana, Antonio DeJesus

August 4, 2017

Page 2

Supporting Evidence: On May 17, 2017, Mr. Magana submitted to random urinalysis (UA) testing at Merit. The specimen collected on this date was presumptive positive for methamphetamine. The specimen was confirmed positive for methamphetamine by laboratory testing on May 22, 2017.

- 3 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On August 4, 2017, Mr. Magana was sent a noncompliance letter from Comprehensive Healthcare due to missing groups on July 27, 31, and August 3, 2017, as required by the Mentally Ill Chemical Abusers (MICA) program. As of the date of this report, Mr. Magana has failed to contact his counselor since July 24, 2017.

- 4 **Standard Condition # 2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Supporting Evidence: On August 1, 2017, this officer attempted to visit Mr. Magana at his residence. He refused to make contact with this officer by entering his bedroom and telling a family member that he would not come out. Instructions were left for Mr. Magana to report to this officer on August 2, 2017. As of the date of this report, Mr. Magana has failed to report as directed.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 4, 2017

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

Re: Magana, Antonio DeJesus

August 4, 2017

Page 3

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

8/7/2017

Date